

REMARKS

The following claims are pending in the application: 5 – 14

The following claims have been amended: 5 and 10

The following claims have been deleted: 6 – 9 and 11 – 14

The following claims have been added: Not applicable

As a result of the foregoing Amendment, the following claims remain pending in the application: 5 and 10.

Objections to the Claims

The Examiner has objected to claims 9 and 14 for each reciting that the fire-retarding composition has a Young's modulus of at least "1.0 ft-lbs.psi".

Applicant has canceled claims 9 and 14 thereby rendering the Examiner's outstanding objection moot. Accordingly, Applicant respectfully submits that the Examiner's outstanding objection may be properly withdrawn

The Rejection Under 35 U.S.C. §112, first paragraph

The Examiner has rejected claims 9 and 14 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement.

Applicant has canceled claims 9 and 14 thereby rendering the Examiner's outstanding rejection moot. Accordingly, Applicant respectfully submits that the Examiner's outstanding rejection may be properly withdrawn.

The Rejection Under 35 U.S.C. §103(a)

The Examiner has rejected claims 5 – 6, 8 – 11, and 13 – 14 under 35 U.S.C. §103(a) as being unpatentable over Dunbar (US Pat. No. 4,820,931) in view of Redondo et al. (US Pat. No. 6,552,112) and the evidence given in Davis et al. (US Pat. No. 6,079,502).

Applicant has canceled claims 6, 8 – 9, 11, and 13 – 14. In light of the amendment to claims 5 and 10, Applicants respectfully submit that the Examiner's outstanding rejections may be properly withdrawn as the cited references fail to render the claims an obvious variation of the prior art.

The Examiner has rejected claims 5 – 14 under 35 U.S.C §103(a) as being unpatentable over Dunbar (US Pat. No. 4,820,931) in view of Kanamori (US Pat. No. 5,747,574) and Kasahara et al. (US Pat. No. 4,734,448) and the evidence given in Davis et al. (US 6,079,502).

Applicant has canceled claims 6 – 9 and 11 – 14. In light of the amendment to claims 5 and 10, Applicants respectfully submit that the Examiner's outstanding rejections may be properly withdrawn as the cited references fail to render the claims an obvious variation of the prior art.

CONCLUSION

In view of the foregoing amendment and accompanying remarks, the Applicants respectfully submit that the present application is properly in condition for allowance and may be passed to issuance upon payment of the appropriate fees.

Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the subject application is respectfully encouraged.

Respectfully submitted,

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